



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III

841 Chestnut Building
Philadelphia, Pennsylvania 19107

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(red)

Denis V. Brennan, Esq.
Morgan, Lewis & Bockius
2000 One Logan Square
Philadelphia, PA 19103

SEP 21 1986
JAN 1 1987
SEP 21 1986

September 11, 1986

Re: Army Creek Landfill, New Castle County, Delaware

Dear Denis:

This is to confirm our meeting on Tuesday, September 16, 1986, at 9:30 a.m. in my office. The purpose of the conference is to discuss the facts which point to inclusion of ICI as a potentially responsible party in the above-referenced matter. In addition, I will be prepared to discuss information which has been gathered about other parties, should you wish to pursue your inquiry along those lines.

As I mentioned on the telephone today, EPA's request for information sent to your client pursuant to Section 104(e) of CERCLA, 42 U.S.C. §9604(e), in January of 1983 should be considered continuing in nature. I take note of the exceptions to the request you raised in your letter of January 22, 1985, but must repeat that, if ICI has gained any information relevant to the topics in the "104(e) letter", it should be submitted to me. I have enclosed a copy of the 1983 letter to assist you in your search.

I look forward to our meeting next week; please give me a call if you have any questions.

Sincerely yours,

Ellen C. Teplitzky
Assistant Regional Counsel

enclosure
cc: Galina Bendersky

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1000 MARKET STREET
PHILADELPHIA, PENNSYLVANIA 19106

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(REC)

JAN 26 1987

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Melford Tietze, Esquire
ICI Americas
Atlas Point Plant
Murphy Road
Wilmington, Delaware 19897

Dear Mr. Tietze:

You or your company, ICI Americas, are hereby requested, pursuant to authority established by Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. § 9604(e), for the purpose of enforcing the provisions of Title I of this Act, and by Section 3007 of the Resource Conservation and Recovery Act of 1976, 42 U.S.C. § 6927, for the purpose of enforcing the provisions of Title II of this Act, to furnish within ten (10) days of your receipt of this letter all documents in your or your company's possession, custody or control or in the possession, custody or control of you or your company's officers, employees, or agents which concern, refer, or relate to Llangollen Landfill, New Castle, Delaware, the Army Creek Landfill, New Castle, Delaware, the Delaware Sand and Gravel Landfill, New Castle, Delaware, Delaware Sand and Gravel Company, Inc., or which concern, refer, or relate to the source, identity, character, composition, or effect on humans, animals, or the environment of any element, substance, compound, mixture or drums, transported, stored, handled or disposed of by you or your company, which was the subject of any discussion, correspondence, agreement or controversy involving the Llangollen Landfill, the Army Creek Landfill, the Delaware Sand and Gravel Landfill, or the Delaware Sand and Gravel Company, Inc.

As used herein, the term "documents" means writings (handwritten, typed or otherwise produced or reproduced) and includes, but is not limited to, any invoices, checks, receipts, bills of lading, weight receipts, toll receipts, correspondence, offers, contracts, agreements, manifests, licenses, permits, bids, proposals, policies of insurance, logs, books of original entry, minutes of meetings, memoranda, notes, calendar or diary entries, agendas, bulletins, notices, announcements, charts, maps, photographs, drawings,

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manuals, brochures, reports of analysis, analytical work sheets, chromatographs, studies, reports of scientific study or investigation, schedules, price lists, telegrams, teletypes, phono-records, magnetic voice or video recordings, tapes, summaries, magnetic tapes, punch cards, recording discs, computer printouts, or other data compilations from which information can be obtained or translated.

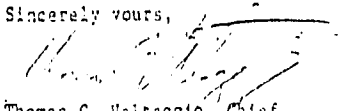
You are entitled to assert a claim of business confidentiality covering any part of the submitted information, pursuant to regulations at 40 C.F.R. Part 2 Subpart B. Unless such a confidentiality claim is asserted at the time the requested information is submitted, EPA may make this information available to the public without further notice to you. Information subject to a claim of business confidentiality will be made available to the public only in accordance with the regulations appearing at 40 C.F.R. Part 2, Subpart B.

Please send the requested information to:

Lisa Seglin, Attorney (JRC13)
U.S. Environmental Protection Agency
Region III
Sixth and Walnut Streets
Philadelphia, Pennsylvania 19106

If you have any questions concerning this matter, please contact Ms. Seglin at (215) 597-8540.

Sincerely yours,


Thomas C. Voltaggio, Chief
Compliance Branch

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